

Remarks

Claims 1-24 are pending in the instant application. Claims 1 and 15 are independent, and are currently amended. Claim 12 is currently amended to correct typographical errors. Claim 13 is currently amended to correct claim redundancy and typographical errors. Claims 16-23 are currently amended to correct errors in dependency. Claim 24 is currently amended to correct an error in dependency and to correct a typographical error.

Claim Objections

Paragraph 1 of the Action objects to claims 13-20 because there are multiple claims with the same numbers. The Action states that the Examiner has treated the second claim 13 as claim 14, the second claim 11 as claim 15, the second claim 12 as claim 16, the third claim 13 as claim 17, claim 14 and claims 18, claim 15 as claim 19, claim 16 as claim 20, claim 17 as claim 21, claim 18 as claim 22, claim 19 as claim 23, and claim 20 as claim 24. In the "Amendments to the Claims" above the claims have been renumbered to reflect the Examiner's treatment of claims 13-20. Accordingly, Applicant, respectfully requests that the objection to claims 13-20 be withdrawn.

Rejection Under 35 U.S.C. § 101

Paragraph 4 of the Office Action rejects claims 1-24 under 35 U.S.C. § 101, as not being directed to patentable subject matter because Claims 1-24 are drawn to a "program". The Action states that data structures not claimed as embodied in computer readable media are descriptive material *per se* and are not statutory because they are not capable of causing functional change in the computer.

The Applicant has amended independent claims 1 and 15 to recite that the output instructions are "for users to make text word selections or assess the lexical impact values of words".

Claims 1 and 15, as amended, are not just an abstract idea. The computer programs of claims 1 and 15, as amended, are directed to making a text selection for an actual real world application. For example, text can be selected for a speech, newspaper story, book, or any written or verbal communication. The claimed computer programs of claims 1 and 15 transform an article (e.g., the text of a speech) into a different thing (e.g., an output of the lexical impact value of the text words, thesaurus groupings that include potential replacement words, etc.). Further, the final result achieved by the computer program (i.e., output data for, the lexical impact value of the text words, thesaurus groupings that include potential replacement words, etc.) as claimed in claims 1 and 15, is "useful, tangible, and concrete." (See MPEP 2106). Accordingly, Applicant respectfully requests that the rejection as to claims 1 and 15 be withdrawn.

Claims 2-14 ultimately depend from claim 1 and claims 16-24 ultimately depend from claim 15, such that claims 2-14 and 16-24 are allowable for at least the reasons discussed above with respect to claims 1 and 15. Accordingly, the Applicants respectfully request that the rejection as to claims 2-14 and 16-24 be withdrawn.

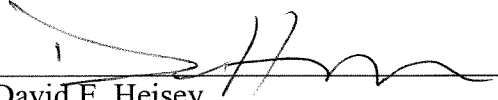
In view of the above, it is respectfully submitted that claims 1-24 are directed to patentable subject matter in accordance with 35 U.S.C. § 101.

Conclusion

Based on the foregoing, favorable reconsideration and allowance of claims 1-24 is solicited. If necessary, the Commissioner is hereby authorized in this and concurrent replies to charge payment (or credit any overpayment) to Deposit Account No. 19-1853 for any additional required fees.

Respectfully submitted

Date: April 2, 2007



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